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PATENT
Attorney Docket No: 061351-5001-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Paul L. Kornblith**)
)
Serial No.: **09/040,161**) Examiner: **Ralph J. Gitomer**
)
Filed: **March 17, 1998**) Art Unit: **1651**
)
For: **Precise Efficacy Assay Methods For Active**) Confirmation No.: **1498**
Agents Including Chemotherapeutic Agents)

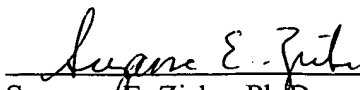
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TRANSMITTAL FORM

1. Transmitted herewith is the Issue Fee Transmittal (PTOL-85B).
2. Additional Papers Submitted:
 - (i) Terminal Disclaimer (U.S. Patent No. 6,416,967)
 - (ii) Terminal Disclaimer (U.S. Patent Application No. 09/039,957)
3. Fee Payment: The Commissioner is hereby authorized to charge **\$839.00** to Deposit Account No. 50-0310 for payment of the Issue Fee at the small entity rate (\$700.00), three copies of the issued patent (\$9.00), and the Terminal Disclaimer Fee (\$130.00).
4. Constructive Petition: **Except** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and § 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **constructive petition for extension of time** in accordance with 37 C.F.R. § 1.136(a)(3).

Dated: **March 17, 2005**
Morgan, Lewis & Bockius LLP
Customer No. **09629**
1111 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
202-739-3000

Respectfully submitted,
Morgan, Lewis & Bockius LLP



Suzanne E. Ziska, Ph.D.
Registration No. 43,371